

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP  
Matthew D. Francis  
Nevada Bar No. 6978  
Arthur A. Zorio  
State Bar No. 6547  
5371 Kietzke Lane  
Reno, NV 89511  
Telephone: (775) 324-4100  
Facsimile: (775) 333-8171  
Email: [mfrancis@bhfs.com](mailto:mfrancis@bhfs.com)  
Email: [azorio@bhfs.com](mailto:azorio@bhfs.com)

CHOI CAPITAL LAW  
Boyoon Choi (*Pro Hac Vice*)  
Washington Bar No. 44939  
520 Pike Tower, Suite 975  
Seattle, WA 98101  
Telephone: (206) 588-0463  
Facsimile: (206) 971-1650  
Email: [b.choi@choicapitallaw.com](mailto:b.choi@choicapitallaw.com)

Attorneys for Plaintiff  
Samick Musical Instruments Co., Ltd.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SAMICK MUSICAL INSTRUMENTS CO.,  
LTD., a Korean limited company,

Plaintiff/ Counter-Defendant

vs.

QRS MUSIC TECHNOLOGIES, INC., a  
Delaware corporation; THOMAS DOLAN, an  
Individual,

Defendants/ Counter-Plaintiff

Case No. 2:15-cv-00333-MMD-GWF

**PLAINTIFF'S RENEWED MOTION TO  
FILE ITS REPLY IN SUPPORT OF  
MOTION FOR LEAVE TO AMEND  
COMPLAINT AND TO REOPEN  
DISCOVERY UNDER SEAL  
AND ~~PROPOSED~~ ORDER**

Plaintiff Samick Musical Instruments Co., Ltd. ("Plaintiff" or "Samick") hereby moves  
this Court for an order sealing Plaintiff Samick's Reply in Support of Motion for Leave to  
Amend Complaint and to Reopen Discovery ("Reply"). These documents were filed on October

1 17, 2016 with the original Motion to Seal, ECF No. 68, which was denied without prejudice.  
2 ECF No. 70.

3 In January 2010, Plaintiff Samick and QRS Music Technologies, Inc. (“Defendant QRS”)  
4 entered into an Agreement. October 27, 2016 Declaration of Boyoon Choi, ¶ 2. This Agreement  
5 forms the basis for the majority of the claims being presently asserted by Plaintiff Samick against  
6 Defendant QRS. *Id.* The 2010 Agreement contains a strict confidentiality provision prohibiting  
7 disclosure of the terms of the 2010 Agreement and its accompanying Exhibits to any third party.  
8 *Id.* The parties have also agreed to keep confidential and under seal the deposition testimony  
9 regarding the parties’ financial information. *Id.*  
10

11 The Court previously granted Samick’s Motion to Seal the 2010 Agreement when  
12 Samick filed its Complaint. *See* ECF No. 12. The Court previously granted Samick’s Motion to  
13 Seal the Motion for Leave to File Under Seal. . . Plaintiff’s Motion for Leave to Amend  
14 Complaint and Reopen Discovery and Exhibits Thereto. ECF No. 50.

15 Seeking to honor the Agreements and not breach the terms of the confidentiality  
16 provision of the 2010 Agreement and the parties’ agreement to keep the parties’ financial  
17 information confidential, Plaintiff seeks permission to file the un-redacted Reply under seal. *Id.*  
18 at ¶ 3. The public version of the Reply has been redacted to remove the facts and arguments that  
19 refer directly to the terms of the 2010 Agreement or discuss the parties’ financial information.  
20 *Id.*  
21

22 Plaintiff therefore seeks to file under seal the full un-redacted version of the Reply. Only  
23 those portions of the Reply that discuss the terms of or relate to the 2010 Agreement or the  
24 parties’ agreement to keep the parties’ financial information confidential have been redacted  
25 from the Reply to be filed in the public record. The exhibits to the Reply are not redacted and  
26 may be filed in the public record.  
27  
28

1 LR 10-5(b) provides in part "...papers filed with the Court under seal shall be  
2 accompanied by a motion for leave to file those documents under seal, and shall be filed in  
3 accordance with the Court's electronic filing procedures."

4 In good faith, seeking to honor and not breach the terms of the parties' 2010 Agreement,  
5 as well as the parties' agreement to keep financial information confidential, Plaintiff Samick  
6 requests that this Court grant its Motion to file the un-redacted Reply In Support of Plaintiff's  
7 Motion for Leave to Amend Complaint and Reopen Discovery under seal.

8 Dated this 27<sup>th</sup> day of October, 2016.

9 By: /s/ Matthew D. Francis  
10 BROWNSTEIN HYATT FARBER  
11 SCHRECK, LLP  
12 Matthew D. Francis  
Arthur A. Zorio  
5371 Kietzke Lane  
Reno, NV 89511

13 By: /s/ Boyoon Choi  
14 CHOI CAPITAL LAW PLLC  
15 Boyoon Choi  
16 520 Pike Tower, Suite 975  
Seattle, WA 98101

17 Attorneys for Plaintiff  
18 Samick Musical Instruments Co., Ltd.

19 IT IS ORDERED:  
20

21   
22 UNITED STATES MAGISTRATE JUDGE  
23

24 DATED: November 3, 2016  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

Pursuant to ***FRCP 5(b)***, I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and on this 2<sup>nd</sup> day of November, 2016, I served the document entitled **PLAINTIFF'S RENEWED MOTION TO FILE ITS REPLY IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT AND TO REOPEN DISCOVERY UNDER SEAL AND [PROPOSED] ORDER**, on the parties listed below via the following:

DICKINSON WRIGHT PLLC  
Eric D. Hone  
Gabriel A. Blumberg  
8363 West Sunset Road, Suite 200  
Las Vegas, Nevada 89113  
[ehone@dickinsonwright.com](mailto:ehone@dickinsonwright.com)  
[gblumberg@dickinsonwright.com](mailto:gblumberg@dickinsonwright.com)

CLYDE SNOW & SESSIONS  
Jonathan Dale Bletzacker  
Walter A. Romney, Jr.  
201 South Main Street, Suite 1300  
Salt Lake City, Utah 84111  
[jdb@clydesnow.com](mailto:jdb@clydesnow.com)  
[war@clydesnow.com](mailto:war@clydesnow.com)

Jacob L. Fannesbeck  
Smith Correll, LLP  
50 W. Broadway, Suite 1010  
Salt Lake City, UT 84101  
[jfannesbeck@smithcorrell.com](mailto:jfannesbeck@smithcorrell.com)

☐ **VIA FIRST CLASS U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

☐ **VIA FACSIMILE:** by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

☐ **BY PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf.

☐ **VIA COURIER:** by delivering a copy of the document to a courier service for overnight delivery to the foregoing parties.

☒ **VIA ELECTRONIC SERVICE:** by serving via electronic mail.

/s/ Nancy R. Lindsley  
Employee of Brownstein Hyatt  
Farber Schreck, LLP

**DECLARATION OF BOYOON CHOI**

I, Boyoon Choi, do hereby declare and state as follows:

1. I am an attorney at the law firm of Choi Capital Law PLLC located at 520 Pike Street Suite 975, Seattle, Washington 98101. This declaration is based upon my personal knowledge, and is made in support of Plaintiff Samick Musical Instruments Co., Ltd.'s ("Plaintiff" or "Samick") Renewed Motion to File Its Reply In Support Of Motion to Leave to Amend Complaint and to Reopen Discovery Under Seal.
2. In January 2010, Plaintiff Samick and QRS Music Technologies, Inc. ("Defendant QRS") entered into an Agreement. This Agreement forms the basis for the majority of the claims being presently asserted by Plaintiff Samick against Defendant QRS. The 2010 Agreement contains a strict confidentiality provision prohibiting disclosure of the terms of the 2010 Agreement and its accompanying Exhibits to any third party. Additionally, the parties have agreed to keep confidential and under seal the parties' financial information.
3. Seeking to honor the Agreements among the parties, and not breach the terms of the confidentiality provisions, Plaintiff seeks permission to file the un-redacted version of the Reply in Support of Motion for Leave to Amend Complaint and to Reopen Discovery under seal. A redacted version of the Reply in Support of Motion for Leave to Amend Complaint and to Reopen Discovery accompanies this motion.

I declare under penalty of perjury pursuant to the laws of the State of Nevada that the foregoing is true and correct to the best of my knowledge.

Dated: October 27, 2016 at Seattle Washington.

By: /s/ Boyoon Choi  
BOYOON CHOI